

Magistrate Judge S. Kate Vaughan

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff

v.

EZEQUIEL GUADALUPE BELTRAN,

Defendant.

CASE NO. MJ21-370

COMPLAINT for VIOLATION

21 U.S.C. §§ 841(a)(1), (b)(1)(C)

BEFORE, S. Kate Vaughan, United States Magistrate Judge, U. S. Courthouse,
Seattle, Washington.

The undersigned complainant being duly sworn states:

COUNT ONE

Possession with Intent to Distribute Fentanyl

On or about April 21, 2021, at Everett, Washington, within the Western District of
Washington, EZEQUIEL GUADALUPE BELTRAN did knowingly and intentionally
possess with intent to distribute N-phenyl-N-[1-(2 phenylethyl)-4-piperidinyl]
propenamide, also known as fentanyl, a Schedule II controlled substance under Title 21,
United States Code, Section 812.

All in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

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Complaint- 1
USAO #2021R00721

UNITED STATES ATTORNEY
700 STEWART STREET, SUITE 5220
SEATTLE, WASHINGTON 98101
(206) 553-7970

1 And the complainant states that this Complaint is based on the following
2 information:

3 I, Robert Thomas, a Task Force Officer with the United States Department of
4 Justice, Federal Bureau of Investigation ("FBI"), being first duly sworn on oath, depose
5 and say:

6 **INTRODUCTION AND AFFIANT BACKGROUND**

7 1. I was hired by the Seattle Police Department on February 9, 2005. I am
8 currently assigned as a detective in the Seattle Police Department Gun Violence
9 Reduction Unit where I have worked since April 2009, and I am also assigned to the FBI
10 Safe Streets Task Force where I have worked since August 2014. I graduated from the
11 Washington State Criminal Justice Training Commission 720-hour Basic Law
12 Enforcement Academy on June 25, 2005.

13 2. I have been provided continuing training from the Seattle Police
14 Department as well as from outside agencies to include the FBI, the Bureau of Alcohol,
15 Tobacco, Firearms and Explosives, the Department of Homeland Security, the Federal
16 Bureau of Prisons, the United States Marshals Service, and other state and local agencies.

17 3. During my time as a police officer, a detective, and a task force officer I
18 have investigated and made arrests for numerous narcotics related crimes to include
19 possession of a controlled substance and possession of a controlled substance with the
20 intent to distribute.

21 4. This affidavit is based on my personal knowledge and on information
22 provided to me by other law enforcement personnel. I have not included in this affidavit
23 each and every fact and circumstance known to me, but only those facts and
24 circumstances I believe are sufficient to establish probable cause.

25 **SUMMARY OF PROBABLE CAUSE**

26 5. On April 27, 2021, officers with the Everett Police Department ("EPD")
27 arrested EZEQUIEL GUADALUPE BELTRAN ("BELTRAN"). While being booked
28

1 into the Snohomish County Jail, a Snohomish County Sheriff's Office corrections deputy
2 found approximately 717 suspected fentanyl pills on BELTRAN's person.

3 **STATEMENT OF PROBABLE CAUSE**

4 6. On April 27, 2021, EPD Officer David Sinex was in the parking lot of a
5 hotel on 112th Street Southeast in Everett, Washington, when he saw a car that appeared
6 to be driven by BELTRAN. Officer Sinex recognized BELTRAN because Washington
7 State Department of Corrections ("DOC") Officer Louis Mahre had shown Officer Sinex
8 a photograph of BELTRAN and told Officer Sinex that BELTRAN had an outstanding
9 DOC arrest warrant for failing to report to the DOC as instructed while on DOC
10 supervision.

11 7. Officer Sinex reported via radio that he had seen BELTRAN and watched
12 an arrest team arrive to arrest BELTRAN. During a search incident to arrest, officers
13 found a switchblade knife with a spring activated button, a small baggie weighing
14 approximately 7.02 grams and containing suspected methamphetamine, a glass bulb pipe
15 with burnt residue, approximately \$1,154 in cash, including a variety of small bills, and a
16 small book that listed numbers and people's names. The suspected methamphetamine
17 was field tested and found to contain methamphetamine. Officer Sinex recognized the
18 book as likely being a drug ledger, a tool commonly used by drug dealers to keep track of
19 who owes them money. Between the ledger and the large amount of cash, Officer Sinex
20 believed that BELTRAN was likely dealing drugs, although the relatively small amount
21 of methamphetamine and the pipe indicated that BELTRAN was likely a
22 methamphetamine user.

23 8. BELTRAN was booked into the Snohomish County Jail. During a search of
24 BELTRAN's person, a corrections deputy saw a clear plastic baggie containing a large
25 number blue pills stamped "M30" fall to the floor as BELTRAN removed his pants. The
26 baggie was seized as evidence and officers estimated that the baggie contained at least
27 400-500 pills, far greater than a user amount.
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1 9. These pills appeared to be what are commonly referred to as “blues” or
2 “smurfs,” or counterfeit oxycodone pills commonly pressed with acetaminophen and a
3 small amount of fentanyl. Legitimate oxycodone pills do not contain acetaminophen.
4 Fentanyl is much more potent than heroin, cheap to buy in bulk, and can be ordered
5 online and shipped to one’s residence. It often causes overdoses and overdose deaths due
6 to its potency.

7 10. The pills were field tested using TruNarc and tested presumptively positive
8 for acetaminophen, confirming that they were likely counterfeit oxycodone pills.

9 11. EPD officers submitted the suspected narcotics to the Washington State
10 Patrol Crime Laboratory for examination.

11 12. On May 5, 2021 the Washington State Patrol Crime Laboratory issued an
12 examination report on the recovered pills. The report states that the plastic bag contained
13 717 round blue tablets with the imprint: M|30. One of the tablets was analyzed and found
14 to contain fentanyl, a Schedule II controlled substance.

15 Based on the above facts, I respectfully submit that there is probable cause to
16 believe that EZEQUIEL GUADALUPE BELTRAN did knowingly and intentionally
17 possess with intent to distribute N-phenyl-N-[1-(2 phenylethyl)-4-piperidinyl]
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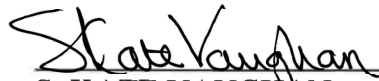
1 propenamide, also known as fentanyl, a Schedule II controlled substance under Title 21,
2 United States Code, Section 812, in violation of Title 21, United States Code, Sections
3 841(a)(1), (b)(1)(C).

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6 Robert Thomas, Complainant
7 Task Force Officer, FBI

8 Based on the Complaint and Affidavit sworn to me by telephone, the Court hereby
9 finds that there is probable cause to believe the Defendant committed the offense set forth
10 in the Complaint.

11 Dated this 23rd day of June, 2021.

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13 S. KATE VAUGHAN
14 United States Magistrate Judge
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